

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BANK OF NEW YORK MELLON,

Plaintiff,

vs.

SOUTHERN HIGHLANDS COMMUNITY
ASSOCIATION, et al.,

Defendants.

Case No. 2:15-cv-01711-JCM-CWH

ORDER

Presently before the court is Defendant Southern Highlands Community Association's Emergency Motion to Compel Non-Party Alessi & Koenig's Response to Said Defendant's Subpoena to Produce Documents, Inclusive of a Related Request for Fees, Costs, and Sanctions (ECF No. 24), filed on November 25, 2015. Non-Party Alessi & Koenig filed a response (ECF No. 30) on December 14, 2015, stating that the documents responsive to the subpoena had been produced. Defendant Southern Highlands thereafter filed a notice of withdrawal of its motion to compel (ECF No. 34) on December 21, 2015. Given that the documents have been provided, the court will deny Defendant Southern Highlands' motion to compel as moot and vacate the hearing on the motion.

IT IS THEREFORE ORDERED that Defendant Southern Highlands Community Association's Emergency Motion to Compel Non-Party Alessi & Koenig's Response to Said Defendant's Subpoena to Produce Documents, Inclusive of a Related Request for Fees, Costs, and Sanctions (ECF No. 24) is DENIED as moot.

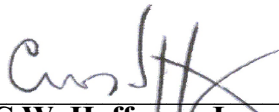
IT IS FURTHER ORDERED that the hearing on Defendant Southern Highlands Community Association's Emergency Motion to Compel Non-Party Alessi & Koenig's Response to Said Defendant's Subpoena to Produce Documents, Inclusive of a Related Request for Fees,

1 Costs, and Sanctions (ECF No. 24) set for Tuesday, January 12, 2016, at 2:30 p.m. in Las Vegas
2 Courtroom 3C is VACATED.

3 IT IS FURTHER ORDERED that the Clerk of Court must mail a copy of this order to non-
4 party Alessi & Koenig, LLC, at the following address:

5 Alessi & Koenig, LLC
6 Attn: Chantel M. Schimming, Esq. and Steve Loizzi, Jr., Esq.
7 9500 W. Flamingo Road, Suite 205
8 Las Vegas, Nevada 89147

9 DATED: December 22, 2015.

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11 **C.W. Hoffman, Jr.**
12 **United States Magistrate Judge**
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